

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

BRIARWOOD INVESTMENTS, INC.,
Individually and On Behalf of All Others
Similarly Situated,

SUMMONS IN A CIVIL CASE

V.

CARE INVESTMENT TRUST INC.,

CASE NUMBER:

07 CIV 8159

JUDGE STANTON

TO: (Name and address of Defendant)

Care Investment Trust Inc.
c/o CIT Healthcare LLC
505 Fifth Avenue, 6th Floor
New York, NY 10017

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Coughlin Stoia Geller Rudman & Robbins LLP
58 South Service Road, Suite 200
Melville, NY 11747

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

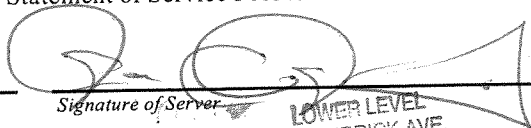
SEP 18 2007

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>9-19-07 @ 110pm</u>	
NAME OF SERVER (PRINT) <u>DANIEL DICARLO</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> G Served personally upon the defendant. Place where <u>with Nicole Ali - Legal Assistant</u> <u>11 W. 42nd St. 12th Fl. N.Y.N.Y. 10018</u>		
<input type="checkbox"/> G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were _____		
<input type="checkbox"/> G Returned _____ _____ _____		
<input type="checkbox"/> G Other _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>9-21-07</u> Date</p> <p style="text-align: center;">  Signature of Server </p> <p style="text-align: center;"> <u>DANIEL DICARLO #826649</u> Address of Server </p> <p style="text-align: center; font-size: small;"> LOWER LEVEL 858 MERRICK AVE. EAST MEADOW, N.Y. 11554 </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.